

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JAMES E. KEHE,

Plaintiff,

v.

LITHTEX INCORPORATED, an active  
Oregon Corporation, d/b/a LITHTEX  
PRINTING, an assumed business name,  
d/b/a LITHTEX PRINTING SOLUTIONS,  
an assumed business name,

Defendant.

Civil Case No. 07-120-HU

O R D E R

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KING, Judge:

The Honorable Dennis J. Hubel, United States Magistrate Judge, filed Findings and Recommendation on April 11, 2008. Defendant filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Hubel.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Hubel dated April 11, 2008 in its entirety.

IT IS HEREBY ORDERED that Defendant's Motion for Summary Judgment (#25) is denied.

DATED this 19<sup>th</sup> day of May, 2008.

/s/ Garr M. King

GARR M. KING  
United States District Judge